

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RAINBOW POPCORN COMPANY,
Inc., a Nebraska Corporation,

Plaintiff,

v.

INTERGRAIN SPECIALTY
PRODUCTS, L.L.C., an Indiana
Limited Liability Company,
ALMCO, Inc., an Indiana
corporation, and JOHN
WALTHALL, an Individual,

Defendants.

7:06CV5015

MEMORANDUM AND ORDER

In response to my memorandum and order of August 21, 2007, counsel have reported that they have resolved most of their differences on the subjects of the motions to compel, with the exception of the matter of a protective order covering the invoices evidencing sales of popcorn. Although the protective order suggested to the court covers only invoices that are referenced in certain Bates-stamped documents, it seems to me that it should apply to all documents produced in this case by any party, unless counsel agree otherwise. If counsel are not claiming confidentiality, they need not, of course, designate documents as confidential. I have redrafted the proposed order accordingly and have made other alterations as well.

IT THEREFORE HEREBY IS ORDERED:

1. Final ruling on the parties' motions to compel, filings 46 and 48, will be reserved until counsel notify the court that there remain disputes to be resolved.

2. A separate protective order will be entered.

DATED this 18th day of September, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge